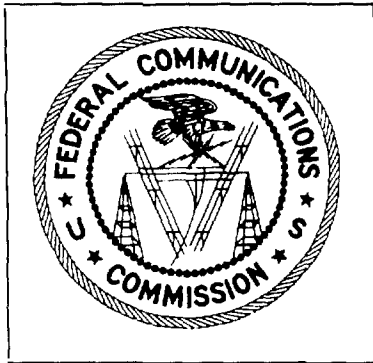


EX PARTE OR LATE FILED



**FEDERAL COMMUNICATIONS COMMISSION
INTERNATIONAL BUREAU**

Satellite and Radiocommunication Division
Satellite Policy Branch

To: William F. Caton, Acting Secretary
Date: February 11, 1997
From: Jennifer Gilsenan *JG*
Re: CC Docket No. 92-297

Attached for inclusion in the record are two copies of a letter submitted to the Commission by the fifteen applicants for geostationary-satellite orbit systems in the Ka-band. The letter informs the Commission of the applicants' agreement on orbital assignments and requests the adoption of the Region "A" orbital assignment plan.

No. of Copies rec'd 0+1
List ABCDE

EX PARTE OR LATE FILED

February 10, 1997

Mr. Thomas S. Tycz
Chief, Satellite and Radiocommunications
Division
International Bureau
Federal Communications Commission
2000 M Street, N.W.
Washington, D.C. 20554

Re: Region "A" Orbital Assignments
for Ka-Band Satellites

Dear Mr. Tycz:

We are pleased to notify you that all fifteen applicants for GSO FSS satellite systems in the Ka-band have achieved consensus on a plan for the assignment of orbital locations in Region "A" of the orbital arc. As you know, Region "A" has been defined throughout our deliberations as the orbital arc located from 67°W longitude to 148°W longitude. This plan, which accommodates all applicants in the current Ka-band processing round, would not have been possible without your leadership and the encouragement and cooperation of the Commission and its staff.

This letter informs the Commission of our agreement and requests the adoption of the Region "A" orbital assignment plan described herein. Attached is an updated Region "A" chart in the format used during our deliberations, which is similar to the chart submitted earlier with respect to the Region "B" orbital assignment plan. Entries under the columns headed "Orbit Long" and "Assignee" indicate the Region "A" orbital location or locations that would be assigned pursuant to this agreement to each applicant for its respective Ka-band satellite system.

This agreement on orbital assignments was reached in a spirit of cooperation following lengthy, sometimes difficult negotiations among the Ka-band applicants. Having achieved this important consensus, the GSO FSS applicants now seek a speedy conclusion of the Ka-band proceeding and near-term licensing of the satellites in the current Ka-band processing round. Accordingly, and in the interest of facilitating early FCC action on our pending applications, the undersigned Ka-band applicants hereby withdraw their petitions and other pleadings filed with respect to each others' applications in the current processing round (and PanAmSat Licensee

Thomas S. Tycz
February 10, 1997
Page 2

Corp. withdraws its pleadings to re-open the current Ka-band processing round), contingent upon the Commission's implementation of the orbital assignment plan described on the attached chart.

Again, the parties appreciate your encouragement and the cooperation of the FCC's staff throughout this process, which contributed to the favorable outcome that has now been achieved.

Respectfully submitted,

AT&T Corp.

By: James A. McCullough
James A. McCullough

Morning Star Satellite Corporation

By: Francis L. Young
Francis L. Young, Esquire
Young & Jatlow

Comm, Inc.

By: Pantelis Michalopoulos
Pantelis Michalopoulos, Esquire
Steptoe & Johnson

NetSat 28 Company, L.L.C.

By: Albert Shuldiner
Albert Shuldiner, Esquire
Vinson & Elkins

EchoStar Satellite Corporation

By: David Moskowitz
David Moskowitz, Esquire

Orion Asia Pacific Corporation

By: Julian L. Shepard
Julian L. Shepard, Esquire
Verner Liipfert Bernhard
McPherson & Hand, Chartered

GE American Communications, Inc.

By: Karis A. Hastings
Karis A. Hastings, Esquire
Hogan & Hartson, L.L.P.

Orion Atlantic, L.P.

By: Julian L. Shepard
Julian L. Shepard, Esquire
Verner Liipfert Bernhard
McPherson & Hand, Chartered

Hughes Communications GALAXY, Inc.

By: John P. Janka
John P. Janka, Esquire
Latham & Watkins

Orion Network Systems, Inc.

By: Julian L. Shepard
Julian L. Shepard, Esquire
Verner Liipfert Bernhard
McPherson & Hand, Chartered

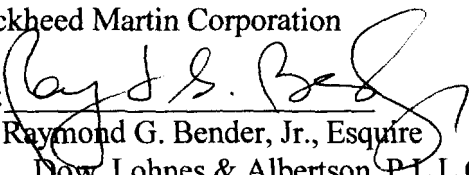
Ka-Star Satellite Communications Corp.

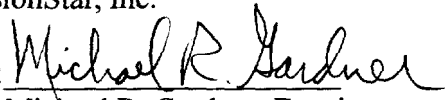
By: David G. O'Neil
David G. O'Neil, Esquire
Rini Coran & Lancellotta, P.C.

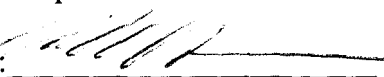
PanAmSat Licensee Corp.

By: Daniel S. Goldberg
Daniel S. Goldberg, Esquire
Goldberg Godles Wiener & Wright

Thomas S. Tycz
February 10, 1997
Page 3

Lockheed Martin Corporation
By: 
Raymond G. Bender, Jr., Esquire
Dow, Lohnes & Albertson, P.L.L.C.

VisionStar, Inc.
By: 
Michael R. Gardner, Esquire
Law Offices of Michael Gardner, PC

Loral Space & Communications Ltd.
By: 
Andrew R. D'Uva, Esquire
Willkie Farr & Gallagher

RGB/db
Enclosure
cc (w/encl.): Mr. Donald H. Gips, Chief
FCC International Bureau
Fern Jarmulnek, Chief
Satellite Policy Branch
Jennifer Gilsenan, Esquire
Satellite Policy Branch

Orbit Long. (°E)	USASAT #	Original Applicant	A & T	C O M M	E C H O	G E O	H U G H	K A S T	L O C K	L O R A	M O R N	N E R T	O R I S	P A N A	V I S	Applicant responsible for AP3 preparation.	Assignee	Foreign satellite with priority
------------------	----------	--------------------	-------------	------------------	------------------	-------------	------------------	------------------	------------------	------------------	------------------	------------------	------------------	------------------	-------------	--	----------	---------------------------------

REGION "A" (148°W to 67°W):

148W		Morning Star																
147W	31A										♥					Morning Star	Morning Star	
140W		KaStar																
139W	31B							♥								KaStar	(spare)	
127W	31D	Orion							♥				♥			Orion	Orion	
125W	31E		♥						♥							AT&T	PanAm Sat	
123.2W																		LUX-KA-123.2W
123W	31F							♥		♥						KaStar	(spare)	
121W	31G								♥						♥	VisionStar	EchoStar	
119W	31C *									♥						Loral	(spare)	
118.7W																		CANSAT KA-5
116.8W	32A *		♥		♥					♥					♥	PanAm Sat	(spare)	
115W	31H							♥		♥						KaStar	Loral	
113W	31I		♥	♥						♥					♥	AT&T	VisionStar ¹	
111.1W																		CANSAT KA-4
110W		Loral																
109.2W	31J			♥						♥					♥	Loral	KaStar	
108W																		INSAT-KA 108W
107.3																		CANSAT KA-1
106W		GE Americom																

¹ VisionStar will operate at a nominal orbit location of 113.05°W, and with a station-keeping box of ±0.05°, thereby increasing the separation from the Canadian filing at 111.1°W by 0.1° relative to the worst case orbital spacing using the station-keeping assumed in the ITU publications (±0.1°).

* indicates a USASAT filing moved from another location

Orbit Long. (°E)	USASAT #	Original Applicant	A & T	C O M	E C H O	G E	H U G H	K A S T	L O C K	L O R A	M O R N	N E T S	O R I O	P A N A	V I S	Applicant responsible for AP3 preparation.	Assignee	Foreign satellite with priority
105W	31K	Motorola VisionStar		♥		♥	♥		♥	♥		♥			♥	Motorola	GE Americom ²	
103W	31L	Motorola, AT&T NetSat 28 PanAm Sat (late)	♥	♥		♥	♥		♥	♥		♥			♥	Motorola	AT&T ²	
101W	31M	Hughes		♥			♥	♥	♥	♥		♥			♥	Hughes	Hughes ²	
99W	31N	Hughes		♥			♥	♥	♥	♥		♥				Hughes	Hughes ²	
97W	31O		♥				♥	♥	♥	♥		♥				Lockheed Martin	Lockheed Martin ²	
96W		Lockheed Martin																
95W	31P	KaStar		♥			♥	♥	♥	♥		♥				KaStar	NetSat ²	
93.2W																		LUX-KA-93.2W
93W	31Q	AT&T Orion	♥	♥			♥	♥		♥		♥	♥			Orion	AT&T	
91W	31R		♥	♥	♥				♥	♥		♥		♥		AT&T	Motorola	CANSAT KA-2
89W	31S			♥	♥					♥						Motorola	Orion	SAMSAT-3
88W		Motorola																
87W	31T		♥	♥	♥	♥				♥						Motorola	Motorola	
86W		Motorola																
85W	31U	EchoStar	♥	♥	♥	♥				♥						EchoStar	GE Americom	
83W	31V	Orion		♥						♥				♥		Orion	EchoStar ³	
82W		GE Americom																CANSAT KA-3 SAMSAT-2
81W	31W			♥		♥				♥					♥	GE Americom	Orion	
79.2W																		LUX-KA-79.2W
79W	31X	PanAm Sat								♥					♥	PanAm Sat	(spare)	

² The applicants in the range 95W to 105W have agreed to operate their satellites with a nominal 0.05° offset to the west, and with a station-keeping box of ±0.05°, thereby increasing the separation from the Luxembourg satellite at 93.2°W by 0.1° relative to the worst case orbital spacing using the station-keeping assumed in the ITU publications (±0.1°).

³ Echostar agrees to this orbital plan but reserves the right to request a modification for reasons described in its January 24, 1997 memorandum directed to Ka-band applicants and furnished to the FCC. GE Americom submitted a response to Echostar's memorandum in a January 29, 1997 memorandum to the FCC and Ka-band applicants.

* indicates a USASAT filing moved from another location

February 5, 1997

REGION "A"

Page 3 of 3

Orbit Long. (°E)	USASAT #	Original Applicant	A & T	C O M M	E C H O	G E	H U G H	K A S T	L O C K	L O R A	M O R N	N E T S	O R I O	P A N A	V I S I	Applicant responsible for AP3 preparation.	Assignee	Foreign satellite with priority
------------------------	-------------	--------------------	-------------	------------------	------------------	--------	------------------	------------------	------------------	------------------	------------------	------------------	------------------	------------------	------------------	--	----------	------------------------------------

77W	31Y							♥		♥					♥	PanAm Sat	Motorola	
75.2W																		INSAT-75.2W
75W	31Z							♥								KaStar	Motorola	SAMSAT-1
73W	TBD ⁴			♥											♥	PanAm Sat	KaStar	
69.5W		Morning Star																
69W	32A															moved to 116.8W		
67W	32B	Hughes					♥									Hughes	Hughes	

⁴ FCC will make a new Advance Publication (AP4) for 73W. Network name for this orbit location is "to be defined" (TBD).

* indicates a USASAT filing moved from another location